



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2004-17**

May 24, 2004

Neil & Deborah Arbucci
344 Old Hartford Rd
Marlborough, CT 06447

RE: DES Wetlands File #2002-01210 218 North Rd, Epsom

Dear Mr. & Ms. Arbucci

On April 6, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Epsom Tax Map R10 as Lot 6 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

- 1) A culvert has been installed or replaced on a perennial stream on a roadway on your property without a permit from DES.
- 2) Approximately 450 square feet of fill was placed in jurisdiction to direct stream flow through the culvert. The culvert is inadequately sized to handle peak flows of the associated perennial stream.

In response, you are requested to submit a Standard Dredge and Fill application for an appropriately sized culvert for the crossing on the property. A copy of the application form is provided for your convenience. Please submit the application to the town by June 18, 2004.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Mary Ann Tilton, Senior Enforcement Officer
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,

COPY
Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7002 3150 0001 5411 0213

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Epsom Conservation Commission
Epsom Board of Selectmen
USACOE